

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS M. BEHR and
DAVID M. GOLDENBERG

Appeal No. 2004-0878
Application 09/200,791

ORDER DISMISSING APPEAL

Before HARKCOM, Acting Chief Administrative Patent Judge, and
WILLIAM F. SMITH and GREEN, Administrative Patent Judges.

Per curiam.

On February 14, 2003, appellants filed a Notice of Appeal. On June 30, 2004, appellants filed a communication stating that appellants are filing a Request for Continued Examination in this application and "do not wish to pursue the pending Appeal."

Accordingly, it is

ORDERED that the appeal filed February 14, 2003, is dismissed.

Appeal No. 2004-0878
Application 09/200,791

The application is being returned to the examiner for further action as may be appropriate.

Gary V. Harkcom
Gary V. Harkcom, Acting Chief
Administrative Patent Judge }

William F. Smith, Jr.
William F. Smith
Administrative Patent Judge } BOARD OF PATENT

Lora Green
Lora Green
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} INTERFERENCES

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